

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America
Jesus Amado GARCIA
YOB: 1976 Citizenship: USC

Case No. 7:19-MJ-0916

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 23, 2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

18 U.S.C. § 2252A(a)(2)(A)

Offense Description

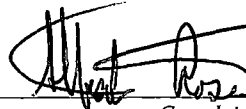
by knowingly receiving any child pornography using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce by any means, including by computer

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved AUSA LAURA GARCIA
L Garcia



Complainant's signature

Alberto Rosa, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/24/19 - 8:13 a.m.

City and state: McAllen, Texas



Judge's signature

U.S. Magistrate Judge Juan F. Alanis

Printed name and title

Attachment "A"

On January 14, 2019, Homeland Security Investigations (HSI) Special Agents, began an online investigation to identify persons using peer-to-peer software on the Internet to traffic child pornography. Agents identified a device at Internet Protocol (IP) address 173.173.185.56 utilizing the BitTorrent P2P Network offering to participate in the distribution of videos with titles that were indicative of child pornography.

HSI Special Agents were able to download video files believed to be child pornography being shared from a device at IP address 173.173.185.56. HSI Special Agents reviewed the files and found that at least five video files obtained from IP address 173.173.185.56 did meet the federal definition of child pornography.

HSI Special Agents submitted a summons to Charter Communications for subscriber information associated to IP address 173.173.185.56. Charter Communications returned the summons with the following information: IP address 173.173.185.56 was registered to Jesus GARCIA at location 86 Rosas Loop, Roma, Texas 78584 (TARGET RESIDENCE).

On April 23, 2019, HSI Special Agents executed a federal search warrant on the TARGET RESIDENCE. The search warrant execution resulted in the seizure of various media storage devices. HSI Special Agents found a cellphone which contained at least seven (7) images that meet the federal definition of child pornography.

HSI Special Agents encountered GARCIA at the TARGET RESIDENCE and was subsequently interviewed. HSI Special Agents read GARCIA his Miranda warnings, which GARCIA waived in writing and elected to speak to the agents. GARCIA stated that he had utilized his cell phone to download and receive child pornography via the internet using peer to peer software on several occasions, spanning approximately six (6) months. GARCIA stated that he had viewed some of the downloaded child pornography because he was "curious." GARCIA stated he was aware that it was illegal to download, receive and possess child pornography.